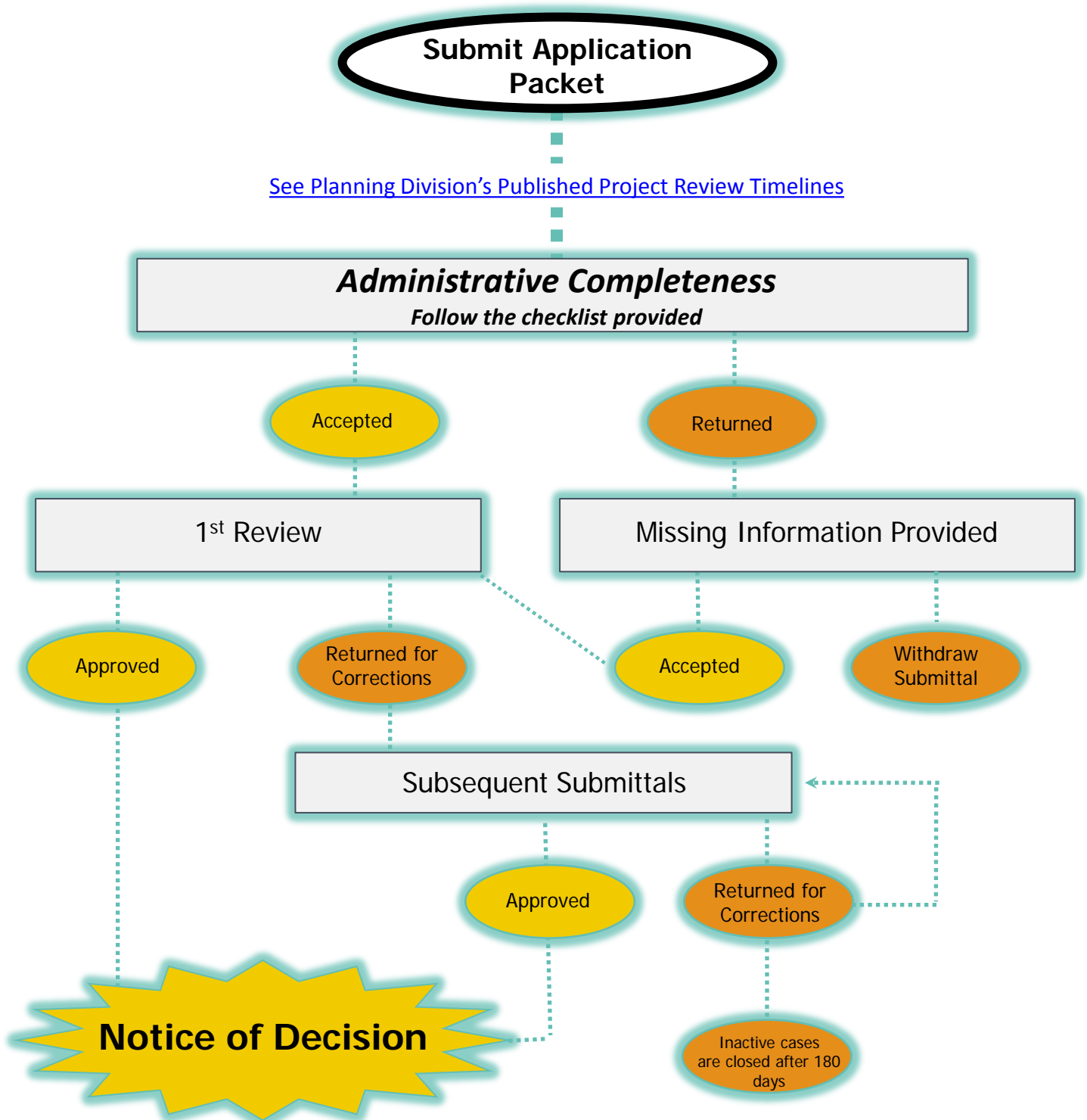


Administrative Relief from Development Standards



Administrative Relief from Development Standards

- Administrative Relief from Development Standards is to authorize minor deviations from the requirements of the [Land Development Code Article 5.3](#), and may only be granted prior to construction.
- Administrative Relief from dimensional requirements of the Land Development Code not to exceed 10 percent of the requirement and any relief granted shall be the minimum required to implement the purposes of the zoning code and improve the quality of development.
- Authorized administrative relief will be documented with findings and the following findings will establish the rationale for the granting of relief.
 1. Relief is necessary due to the physical attributes and conditions of the property and the proposed use or structure including, but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance;
 2. There are no alternatives to the requested modification that could provide similar benefits with less potential detriment;
 3. Granting the relief does not threaten the health or safety of the public or the occupants of the property or would create a change in land use or density that would be inconsistent with the requirements of this Code;
 4. Granting the relief does not impose an undue financial or administrative burden on the Town;
 5. There are no compelling public interests that justify the denial of the requested relief or the imposition of conditions;
 6. The applicant's demonstrated need substantially outweighs any detriment to public needs and interests; and
 7. If relief is being requested pursuant to the requirements of State or Federal law, the relief is necessary to reasonably accommodate the needs of an applicant pursuant to the specific requirements of State or Federal law.
- Useful Links on Gilbert's Planning & Development webpage:
 - [Development Fee Schedule](#)
 - [Planning Division Project Review Timelines](#)
 - [Zoning and Land Development Code](#)

Administrative Relief from Development Standards

Submittal Formatting, Required Materials and Checklist:

- ☐ Over the Counter Submittal:
 - ☐ **Submit electronic copy** of ALL required items on checklist. **(No 24" x 36")**
 - ☐ Submit a hard copy (8.5" x 11" or 11" x 17" only) of the entire packet with the electronic copy and payment. **(No 24" x 36")**
 - ☐ **Purge** images of unnecessary blocks and layers (single layer).
 - ☐ **Save each exhibit as a separate PDF per document naming below.**

Document Naming:

- ☐ Exhibit 1: Application
- ☐ Exhibit 2: Project Narrative
- ☐ Exhibit 3: Site Plan
- ☐ Exhibit 4: Elevation(s) (if applicable)
- ☐ Exhibit 5: Letter from Architectural Review Committee / Property Owner's Association / Home Owner's Association (if applicable)
- ☐ Exhibit 6: Other Exhibits (if applicable)

Checklist

- ☐ **Exhibit 1: Application**
 - ☐ Must be fully completed and signed.
- ☐ **Exhibit 2: Project Narrative**
 - ☐ Project Narrative should be typed in a 12pt font and no more than 5 pages in length.
 - ☐ Describe proposed project of what is being requested;
 - ☐ Describe before and after changes, provide all new specifications.
- ☐ **Exhibit 3: Site Plan and Detail Sheets**
 - ☐ Vicinity Map with site noted;
 - ☐ Graphic scale, north arrow, exhibit date;
 - ☐ Project data table including: lot area and net acres, parking, percentage of landscape area, gross building square footage, etc; Dimension property lines, building setbacks, require landscape areas, easements, alleys, private streets, adjacent rights-of-way, existing and future improvements, access points, signals, etc.;
 - ☐ Location and size of any existing/proposed building(s) or structure(s);
 - ☐ Depict adjacent lot lines and/or structures within 50 feet
 - ☐ Location of required building setbacks and spaces between buildings with dimensions.

NOTE: [Standard Commercial and Industrial Site Plan Notes](#) must be included on an exhibit within the project submittal for all commercial or industrial requests.
- ☐ **Exhibit 4: Elevations (if applicable)**
 - ☐ Graphic scale and date;
 - ☐ All existing and proposed elevations of each building identified by geographic direction; Dimensioned and keyed to the Colors Material Table;
 - ☐ Color and Materials Table with name, manufacturer product identification;
 - ☐ Location, type and mounted height of proposed wall mounted lighting fixtures.

☐ **Exhibit 5: Letter from Architectural Review Committee, Property Owner's Association / Home Owner's Association (if applicable)**

- ☐ Letter from Architectural Review Committee or Property Owner's Association or HOA stating their approval of this project.

☐ **Exhibit 6: Other Exhibits (if applicable)**

- ☐ Other optional information (i.e., letters from adjoining property owners, photos, sketches)



Plan Type: Administrative Relief
Work Class: Original Submission

Description (Proposal Name): _____
Address or Location _____

Request Summary (briefly describe proposal here and attach a detailed narrative): _____

APN/Tax Parcel Number(s): _____
Zoning Classification: _____

General Plan Character Area: (if applicable) ☐ Santan ☐ Gateway ☐ Heritage District ☐ Morrison Ranch

Overlay Zoning District: ☐ Santan Freeway Corridor ☐ Phx/Mesa Gateway Airport ☐ Vertical Development

Property Owner: (All information must be provided)

Name (print): _____ E-mail: _____

Address: _____

City, Zip: _____

Phone: _____ ☐ Business ☐ Mobile ☐ Home ☐ Other

Signature*: _____ Date: _____

*If signature is not provided above, a letter of authorization from the property owner is required.

Applicant/Contact: (All information must be provided)

Company: _____

Contact: _____ E-mail: _____

Address: _____

City, Zip: _____

Phone: _____ ☐ Business ☐ Mobile ☐ Home ☐ Other

Signature: _____ Date: _____

Administrative Completeness Review

Staff will review the application to ensure all required documents and information has been included. If required information is missing, applicant will be notified that the application has been rejected until all required information is submitted. If the application is rejected, upon resubmittal, a new Administrative Completeness Review will be conducted. Staff may also determine if the request does not fall under the purview of this application type.

A.R.S. § 9-843. Prohibited acts by municipalities and employees; enforcement; notice

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

Staff Use Only:
Permit Number: _____